

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

AMERICAN CIVIL RIGHTS UNION,
In its individual and corporate capacities,
Plaintiff

V.

ELECTION ADMINISTRATOR
RAFAEL R. MONTALVO,
In his official capacity,
Defendant

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Civil Action No. 7:16-CV-103

JURY TRIAL REQUESTED

ORDER ON FIRST AMENDED MOTION TO DISMISS

BE IT REMEMBERED, that on the _____ day of _____, 2016, came on to be considered Defendant Rafael R. Montalvo's First Amended Motion to Dismiss for Lack of Subject-Matter Jurisdiction and Motion to Dismiss for Failure to State a Claim ("Motion"), made pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). The Court, having considered the Motion, the response and all pleadings on file in this case, is of the opinion that such Motion should be GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant Rafael R. Montalvo's First Amended Motion to Dismiss for Lack of Subject-Matter Jurisdiction and Motion to Dismiss for Failure to State a Claim is HEREBY GRANTED and all Plaintiff's claims brought against Defendant are HEREBY DISMISSED with prejudice.

SIGNED on _____, 20__.

UNITED STATES DISTRICT JUDGE